

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14-CV-145-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**WALTER N. ESTES; SAVANNAH
ROSE FORESTRY, LLC; ALAN TODD
GREENE; ROY STANFORD BRISTOL,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the filing of Plaintiff's "Motion For Partial Summary Judgment" (Document No. 22)

In accordance with Roseboro v. Garrison 582 F.2d 309 (4th Cir. 1975), the Court advises Defendant Walter N. Estes ("Estes"), who is proceeding *pro se*, that he has a right to respond to Plaintiff's motion. The Court also advises Defendant Estes that failure to respond may result in Plaintiff being granted the relief it seeks. Defendant's response should be properly supported as required by Federal Rule of Civil Procedure 56.

The undersigned also observes that the parties failed to identify a mediator as required by the "Pretrial Order And Case Management Plan" (Document No. 20); and that Defendants have declined to participate in this Court's *Pro Se* Settlement Assistance Program. See (Document Nos. 18 and 19). The Court previously advised Defendants "that mediation is required at some point during the pendency of this litigation, and they are respectfully encouraged to carefully consider taking advantage of the *Pro Se* Settlement Assistance Program." (Document No. 18, pp.1-2).

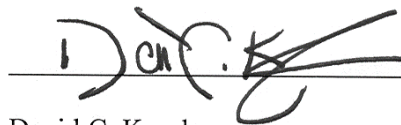
IT IS, THEREFORE, ORDERED that Defendant Estes shall file a response to Plaintiff's "Motion For Partial Summary Judgment" (Document No. 22) on or before **June 19, 2015**. Failure to file a timely and persuasive response may lead to Plaintiff being awarded partial summary judgment.

IT IS FURTHER ORDERED that the parties shall file a report of the results of mediation on or before **July 1, 2015**.

The Clerk of Court is directed to deliver a copy of this Order to each of the *pro se* Defendants by certified U.S. mail, **return receipt requested**.

SO ORDERED.

Signed: June 2, 2015

A handwritten signature in black ink, appearing to read "D. C. Keesler", is written over a horizontal line.

David C. Keesler
United States Magistrate Judge

